

HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHSHORE SHEET METAL, INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION,
LOCAL 66,

Defendant.

No. 2:15-cv-01349 MJP

**STIPULATED MOTION TO CONTINUE
TRIAL DATE AND AMEND CASE
SCHEDULE**

Note on Motion Calendar:
February 5, 2016

STIPULATED MOTION

The parties jointly stipulate and move this Court for an order granting an approximate sixty (60) day continuance of the trial date and related, unexpired case schedule deadlines. The sixty (60) day continuance of the trial date and related case schedule deadlines is necessary because until Northshore's Protective Order was granted on January 27, 2016, the discovery process was stalled. (Burnham Decl. ¶ 3). Both parties were awaiting the decision from Honorable Marsha J. Pechman before issuing and/or producing discovery responses to ensure

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1 compliance with Judge Pechman's Order. Once Judge Pechman granted Plaintiff's Motion for a
2 Protective Order, discovery recommenced. (Burnham Decl. ¶ 4).

3 The Protective Order adds an additional step to the discovery process, necessitating a
4 request to amend the case schedule. Pursuant to the Protective Order, each time a discovery
5 production is made to Local 66, Northshore's counsel will review the documents and/or
6 information and note what is "Confidential" and "Attorney Eyes Only." After Northshore's
7 counsel makes this assessment, the documents can then be analyzed and disclosed (if permitted)
8 by Local 66's counsel. If Local 66 receives documents from a non-party, however, they must
9 wait fifteen (15) days before disclosing the documents or information. This procedure adds an
10 additional step and additional time to the discovery process to ensure "Confidential" and
11 "Attorney Eyes Only" documents and/or information are protected from unauthorized disclosure.
12 The parties therefore request additional time to fully conduct discovery, while fully complying
13 with the Protective Order.
14

15 Furthermore, the expert witness disclosure deadline is fast-approaching on March 28,
16 2016. In order to identify which expert witnesses will be needed in this matter, the parties
17 request additional time to conduct discovery. At this point, the parties have not been able to
18 obtain enough information and/or documentation to identify what type of experts they will retain,
19 let alone which expert they will retain. The parties therefore respectfully request the opportunity
20 to gather enough information to identify which expert(s) will be necessary in this litigation.
21

22 Finally, the parties are still engaging in negotiations for a collective bargaining agreement
23 and Local 66's strike is ongoing. (Burnham Decl. ¶¶ 5-6). There is potential for new facts to
24 arise in this matter that will have a direct impact on the remainder of this litigation. The parties
25 request a continuance of the trial date and unexpired case schedule deadlines to have an

1 opportunity to discover all relevant facts, including potential future facts that may have bearing
 2 on this case.

3 The parties thus propose the following revised case schedule:

4 JURY TRIAL DATE	January 2, 2017
5 Reports from expert witness under FRCP 6 26(a)(2) due	May 30, 2016
7 All motions related to discovery must be 8 filed by and noted on the motion calendar on third Friday thereafter (see CR7(d))	June 27, 2016
9 Discovery completed by	July 27, 2016
10 All dispositive motions must be filed by and 11 noted on the motion calendar on the fourth 12 Friday thereafter (see CR7(d))	August 29, 2016
13 All motions in limine must be filed by and 14 noted on the motion calendar no earlier than the third Friday thereafter and no later than the Friday before the pretrial conference	November 21, 2016
15 Agreed pretrial order due	December 14, 2016
16 Trial briefs, proposed voir dire questions, 17 and proposed jury instructions	December 14, 2016
18 Pretrial conference	December 16, 2016 at 2:30PM

1 DATED this 5th day of February, 2016.

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20 Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of February, 2016, I filed the foregoing
**STIPULATED MOTION TO CONTINUE TRIAL DATE AND AMEND CASE
SCHEDULE** with the Clerk of the Court using the CM/ECF system which will send notice of
such filing to the following:

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